



DIVISION OF GENERAL SERVICES

Department of Administration

Public Facilities Governance Agreement

Between
Administrative Solutions Team
and
Department of Administration

April 12, 2000

FACILITIES PROGRAM GOVERNANCE

The purpose of this document is to provide a framework for the critical policy relationship between the Administrative Solutions Team and the Division of General Services.

Based upon this Agreement, the Administrative Solutions Team will provide Governance for the operation and maintenance of public facilities funded through the Public Buildings Fund.

The agreement defines the governance relationship between the parties and provides for the issuance of future policy and procedural papers related to the management of the buildings.

1` PURPOSE

To provide general guidance on the management of the **FACILITIES PROGRAM** to the Division of General Services of the Department of Administration from the Administrative Solutions Team.

Hereafter, the Division of General Services of the Department of Administration is referred to as DOA, the Department of Transportation and Public Facilities as DOTPF and the Administrative Solutions Team is referred to as AST.

2` GENERAL GUIDANCE

- A. Statewide Governance will be provided by the AST.
- B. The AST recognizes the importance of in-put from the tenants when setting policies and making decisions regarding the buildings in the **FACILITIES PROGRAM**. To assure proper representation of tenant concerns, the AST will create and insure the appointment of individual Building Advisory Committees for each building in the **FACILITIES PROGRAM**.
- C. Building Advisory Committees
 - 1. Each facility will have a Building Advisory Committee with representation by tenant agencies, DOA and DOTPF.
 - 2. A single set of by-laws for the Building Advisory Committees will be established by the AST governing the following issues.
 - a. Composition
 - b. Frequency of Meetings
 - c. Authorities
 - d. Voting

3` TRANSITION ISSUES

- A. Day to Day Operations
 - 1. At least for the initial year of the **FACILITIES PROGRAM** (FY2001), responsibility for building operations will remain with the current agencies (DOTPF for Juneau and Fairbanks facilities and DOA for the Atwood Building). DOA will collect and account for rents for all facilities.
 - 2. DOA and DOTPF will identify any essential functions for building operations that should be transferred to DOA in the FY2002 Budget Process.
- B. Capital Projects

1. FY2001: As part of the general governance guidelines established by the AST, tenant agencies will be responsible to assist the building operators (DOTPF for Juneau and Fairbanks, DOA Atwood Building) in the identification and prioritization of projects for deferred maintenance, renewal, replacement and general facility upgrade.
2. Priorities will be included in the building operator's FY01 capital budget request. The DOTPF will have the responsibility to carryout the planning and construction for projects appropriated in FY01 and prior years. The DOTPF will fully cooperate with the AST and DOA programming and managing the projects in concert with building and tenant needs.

4` RENTAL RATES AND PAYMENT OBLIGATIONS

- A. The obligations of the parties in the **FACILITIES PROGRAM** will be further described in Tenant Agreements. The current tenants will sign Tenant Agreements on or before July 1, 2000. Successive tenants will sign Tenant Agreements on or before the date of occupancy.
- B. The AST will approve a basic shell for Tenant Agreements that will at a minimum recognize the following:
 1. Duration of the Agreement (guaranteed length of occupancy).
 2. Name of Occupant Agency
 3. Agreement to abide by the landlord's direction relating to the care and treatment of the facility.
 4. Agreement to cooperate with the other tenants in the building.
 5. Agreement to notify building management of changes in occupancy, planned disruptions to other tenants in the building due to program needs and/or facility renovation, and to remedy unplanned disruptions to other tenants as quickly as possible.
- C. The AST further recognizes the following procedures related to the levels and payment of rental obligations.
 1. Rental rates will be set once each year in the budget process¹.

¹ They are adjusted the following years after true-ups for actual expenses are calculated.

2. Responsibility for payment is for the full term of the contract. The Term of Occupancy shall be agreed upon by DOA, as lessor, and the Agencies, as the lessees in the Tenant Agreement. Payment shall be made in accordance with process established for other core services.
3. Paying for Vacant Space
 - a. While it is possible that an agency could vacate state-owned space on short notice, resulting in vacant space for a period of time, experience has shown that this is not likely to occur.

If an agency must move due to program changes and/or the opportunity for better space during a fiscal year, the vacating tenant will be responsible for a full fiscal year payment or until such time as a new tenant occupies the space. The vacating state agency will transfer all GF provided to them in FY01 and subsequent years for rent payments to the new tenant in the next budget cycle.
 - b. In rare instances, programs are eliminated during the budget process long after the next fiscal years rates have been established. If such a situation did occur during a fiscal year, the following conditions will apply:
 - (i) To the degree possible, the vacating agency will continue to pay rent until another agency can be found to occupy the space. This requirement extends only to the GF Portion of their Rental Bill. DOA will request a supplemental for the unpaid balance of the rent for the balance of the fiscal year.
4. Rate Adjustments due to planned space changes
 - a. Agencies who plan space changes have a responsibility to include DOA and OMB during the planning process. The Agencies involved in such changes have the responsibility for submitting budget documents to OMB for the transfer of funds between agencies requests and for additional non-general fund authority.

5` FACILITY MANAGEMENT

The AST may request information on and DOA may present information and or request policy decisions from the AST on the following matters as needed:

1. Space Allocation
 - a. Permanent Space
 - b. Temporary Space
 - c. Use of space by non-state organizations
 - d. Event Management
2. Dispute Resolution
 - a. Among tenants
 - b. With Building Management (DOA)
 - c. With Building Maintenance (DOTPF)
3. Inventory Control Management
 - a. Attached Equipment (Real property)
 - b. Agency Personal Property
 - c. Multi-agency use or Multi-agency owned equipment
4. Security Management
 - a. Security Personnel
 - b. Security Training
 - c. Security Systems
 - d. Access Control
5. Parking Management
 - a. Allocation of available parking spaces
 - b. Requests for additional parking spaces
 - c. Parking enforcement
6. Maintenance Management
7. Setting tenant service levels.
8. Custodial Activities
9. Maintenance management reporting systems.
10. Determining and reporting facility deferred maintenance.
11. Tenant complaint process for deficiencies in maintenance or custodial activities.
12. Dispute Resolution Process - Delivery of Maintenance Services (Between DOA and DOTPF)
13. Managing Tenant Improvement Construction Projects Within a Facility
 - (i) Tenant Planning
 - (ii) Notification to other tenants of disruption of service
14. Emergency and Disaster Recovery Plans

6` CAPITAL ASSET MANAGEMENT

- A. The AST recognizes the authority of the DOTPF for the management of construction projects regardless of whether these projects are funded by the General Fund (GF) or the Public Buildings Fund (PBF).
- B. The AST further recognizes that the DOTPF may delegate some or all authority for construction projects.

- C. To the degree possible the AST recognizes the following distinctions:
 - 1. PBF Capital Budget will be composed of projects to renew and replace essential building components for which depreciation was taken in the rental rate process. The PBF will not be used to fund major deferred maintenance projects or for substantive remodeling (versus renovation) of a facility.
 - 2. GF Capital Budget will be composed of projects that provide funding for major deferred maintenance projects, substantive remodeling, and replacement of facilities.
- D. Capital Budget Process
 - 1. GF Capital Budget Process: Beginning January 1, 2000, DOA is responsible for the budgeting and arranging for construction management with DOT on all buildings in the **FACILITIES PROGRAM**.
 - 2. PBF Capital Budget Process: Beginning January 1, 2000, DOA is responsible for PBF budgeting and arranging construction management with DOT for renewal and replacement of critical building components for facilities in **FACILITIES PROGRAM**.
 - 3. Prioritization of Projects:
 - a. GF Capital Projects and PBF Capital Projects -- The AST Governance Policies will provide "prioritization themes" for identifying and prioritizing GF and PBF capital requests. The Prioritization Themes will be re-affirmed in June of each year.
 - b. The AST will approve the prioritization of GF and PBF Capital Projects on or before August 1st each year.

7 FACILITY PROGRAM ADMINISTRATIVE RESPONSIBILITIES AND REPORTING

DOA has the responsibility to provide access and reports on the following matters to the AST in a timely manner:

- A. Rates
 - 1. Rate Setting Methodology
 - 2. Federal Cost Allocation Plan
 - 3. Notification of facility rate increases
- B. Accounting
 - 1. Operating Accounts
 - a. Accounts Payable

AST POLICY -- FACILITIES PROGRAM GOVERNANCE

- b. Accounts Receivable
 - c. Cost allocation Plan
- 2. PBF Capital Projects
 - a. Project allocation
 - b. Cost allocation
 - c. Expenditures
 - d. Accounts Payable
- 3. GF Capital Projects
 - a. Cost allocation
 - b. Expenditures
 - c. Accounts Payable

8` AMENDMENTS TO THIS AGREEMENT

- 9` The parties may amend this agreement.
 - A. Any policies and procedural documents issued, as a result of this agreement, will become Appendices to this agreement.

Agreed to by

_____	<u>April 12, 2000</u>	_____
Chair, AST		Date
_____	<u>April 12, 2000</u>	_____
Director, Division of General Services (DOA)		Date

10` APPENDIX

- A. Building Advisory Committee Policy
- B. Tenant Agreement Shell
- C. Annual Capital Project Prioritization Themes
 - 1. GF Capital Budget
 - 2. PBF Capital Budget